

Remarks:

Claims 1-9, 12, 13, 18-20, and 22 remain in this application. Claims 10, 11, 14-17, and 21 have been canceled.

Claims 1, 7-8, 10-12, and 18-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Cloutier (US 4207627).

Regarding amended claim1, Cloutier fails to disclose “an intercondylar component including an upwardly projecting intercondylar post engageable with the femoral knee implant to constrain the amount of relative motion permitted between the femoral and tibial knee implants, the intercondylar component comprising a second material having a predetermined toughness value greater than the first material”. Thus, amended claim1 does not read on Cloutier and is allowable over Cloutier.

Cloutier further fails to disclose “at least one pin, the first articular bearing component, the second articular bearing component, and the intercondylar component being joined together by the pin extending into each of the components”. Thus, amended claim1 further does not read on Cloutier and is allowable over Cloutier.

Claims 7, 8, 12, and 18 depend from amended claim 1 and are allowable for the same reasons as amended claim1.

Claims 10, 11, and 21 have been canceled.

Regarding amended claim 19, Cloutier fails to disclose “an intercondylar portion interposed between the first and second bearing portions, the intercondylar portion including an upwardly projecting intercondylar post engageable with the femoral knee implant to constrain the amount

of relative motion permitted between the femoral and tibial knee implants”. Thus, claim 19 does not read on Cloutier and is allowable over Cloutier.

Cloutier further fails to disclose “the intercondylar portion defining a dovetail engagement feature extending along each of a first side and a second side from a front portion to a back portion, the first bearing portion defining a complementary dovetail engagement feature, the second bearing portion defining a complementary dovetail engagement feature, and the first and second bearing portions engaging the intercondylar portion in front-to-back sliding dovetail engagement to join the portions together to form a single component”. Thus, amended claim 19 further does not read on Cloutier and is allowable over Cloutier.

Claim 20 depends from amended claim 19 and is allowable for the same reasons as amended claim 19.

Claims 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Grundei (US 4711639).

Regarding amended claim 19, Grundei fails to disclose “an intercondylar portion interposed between the first and second bearing portions, the intercondylar portion including an upwardly projecting intercondylar post engageable with the femoral knee implant to constrain the amount of relative motion permitted between the femoral and tibial knee implants”. Thus, amended claim 19 does not read on Grundei and is allowable over Grundei.

Grundei further fails to disclose “the intercondylar portion defining a dovetail engagement feature extending along each of a first side and a second side from a front portion to a back portion, the first bearing portion defining a complementary dovetail engagement feature, the second bearing portion defining a complementary dovetail engagement feature, and the first and

second bearing portions engaging the intercondylar portion in front-to-back sliding dovetail engagement to join the portions together to form a single component”. Thus, claim 19 further does not read on Grundei and is allowable over Grundei. It is noted that element 5 of Grundei is a tab that engages a slot 7 in non-sliding relationship.

Claim 20 depends from amended claim 19 and is allowable for the same reasons as amended claim 19.

Claim 21 has been canceled.

Claims 1-6, 11-12, and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wyss (US 2004/0002767) in view of Krebs (US6365089).

Regarding amended claim 1, the combination of references fails to disclose “at least one pin, the first articular bearing component, the second articular bearing component, and the intercondylar component being joined together by the pin extending into each of the components”. Thus, amended claim 1 does not read on the combination of references and is allowable over it.

Claims 2-6 and 12 depend from claim 1 and are allowable for the same reasons as amended claim 1.

Claim 6 is further allowable over the combination because the combination fails to disclose “wherein the first material comprises polyethylene and the second material comprises a poly(ketone)”. Both references disclose a single material for all of the components. Thus, claim 6 further does not read on the combination and is allowable over it.

Claims 11 and 16-17 have been canceled.

Claims 1-5, 10-11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robie (US6126692) in view of Krebs (US6365089).

Regarding amended claim 1, the combination of references fails to disclose “at least one pin, the first articular bearing component, the second articular bearing component, and the intercondylar component being joined together by the pin extending into each of the components”. Both Robie and Krebs disclose single piece tibial components rather than the claimed first articular bearing component, second articular bearing component, and intercondylar component joined together by a pin extending into each of the components. Thus, amended claim 1 does not read on the combination and is allowable over it.

Claims 2-5, and 13 depend from claim 1 and are allowable for the same reasons as amended claim 1.

Claims 10 and 11 have been canceled.

Claims 11-12, 14, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Volz (US4257129) in view of Krebs (US6365089).

Claims 11 and 14 have been canceled.

Amended claims 12 and 18 now depend from amended claim 1 and are allowable for the same reasons as amended claim 1. It is noted that Volz does not disclose “the first articular bearing component, the second articular bearing component, and the intercondylar component being joined together by the pin extending into each of the components”.

Amended claim 18 is further allowable over the combination because the combination fails to disclose “wherein the intercondylar component comprises a unitary tray extending from the intercondylar eminence, the tray including a support surface for receiving the first and second

articular bearing components". Volz discloses an intercondylar component that is an integral part of a one-piece articular bearing and separate from the tray on which the articular bearing is supported.

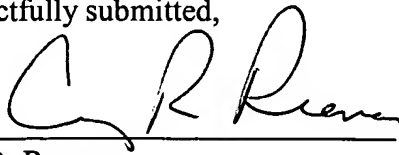
Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cloutier (US 4207627).

Claim 9 now depends from amended claim 1 and is allowable for the same reasons as amended claim 1.

New claim 22 depends from amended claim 1 and more particularly claims applicant's invention. New claim 22 is allowable over all of the references for the same reasons as amended claim 1.

Applicant believes that the claims remaining in this case are in condition for allowance and respectfully requests that a timely Notice of Allowance be issued in this case. Examiner is encouraged to contact Applicant by telephone with any questions about the content of this amendment or to discuss allowable subject matter to facilitate placing this case in condition for allowance.

Respectfully submitted,

By: 
Cary R. Reeves
Registration No. 35,334
P.O. Box 1268
Aledo, TX 76008
817-594-5994